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U.S. Department of Commerce Patent and Trademark Office Rev. 10/95		Application Number	09/751,472
		Filing Date	December 29, 2000
		First Named Inventor	Dinesh Mody
		Group Art Unit Number	3739
		Examiner Name	David M. Shay
Total Number of Pages in This Submission		5	Attorney Docket Number
			23488-09177 (formerly FMT1 P028)

ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Check Enclosed <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Response to Notice to File Missing Parts <input type="checkbox"/> Assignment & Recordation Cover Sheet <input type="checkbox"/> Declaration <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited References <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Request for Correction of Recorded Assignment <input type="checkbox"/> Amendment/Response: [] Page(s) <input type="checkbox"/> After Final <input type="checkbox"/> Status Request <input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Formal Drawing(s): <input type="checkbox"/> [] Sheet(s) of Figure(s) [] <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Notice of Appeal <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
REMARKS:	

SIGNATURE OF ATTORNEY OR AGENT	
Signature:	<i>Albert C. Smith</i>
Attorney/Reg. No.:	Albert C. Smith, Reg. No. 20,355
Dated: 8/10/04	

CERTIFICATE OF MAILING	
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.	
Signature:	<i>Albert C. Smith</i>
Typed or Printed Name:	Albert C. Smith
Express Mail Mailing Number (optional):	
Dated: 8/10/04	

AUG 13 2004



FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **(\$)** 860

Complete if Known	
Application Number	09/751,472
Filing Date	December 29, 2000
First Named Inventor	Dinesh Mody
Examiner Name	David M. Shay
Art Unit	3739
Attorney Docket No.	23488-09177 (formerly FMT1 P028)

METHOD OF PAYMENT (check all that apply)
 Check Credit Card Money Order Other None
 Deposit Account:
Deposit Account Number **19-2555**Deposit Account Name **Fenwick & West LLP**

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee	Fee	Fee	Fee	Fee Description	Fee Paid
Code	(\$)	Code	(\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)		(\$)	.00		

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X
Independent Claims	-3** =	X
Multiple Dependent		= 00

Fee Description					
Fee	Fee	Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim; if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)		(\$)	.00		

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Fee Description					
Fee	Fee	Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	330
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) Third month extension fee (2-month previously paid)					530

SUBTOTAL (3) **(\$)** 860

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) **Albert C. Smith** Registration No. (Attorney/Agent) **20,355** Telephone (650) 335-7296

Signature

Date

8/10/04



PATENT

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANT(S): Dinesh Mody, et al.
APPLICATION NO.: 09/751,472
FILING DATE: December 29, 2000
TITLE: TISSUE ABLATION APPARATUS WITH A SLIDING
ABALATION INSTRUMENT AND METHOD
EXAMINER: David M. Shay
GROUP ART UNIT: 3739
ATTY. DKT. NO.: 23488-09177 (formerly FMT1 P028)

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Dated: 8/10/04 By: Albert C. Smith
Albert C. Smith, Reg. No.: 20,355

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P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

NOTICE OF APPEAL

SIR:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner, mailed February 12, 2004, finally rejecting claims 1-107, 225-255, and 282-300.

Pursuant to 37 CFR § 1.17(e), enclosed is payment in the amount of \$330.00 for the filing of the Notice of Appeal. Also enclosed is an additional fee

for third month of extension in excess of fee previously paid for two-month extension.

Respectfully submitted,
DINESH MODY, ET AL.

Dated: 8/10/04

By: A.C. Smith
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